

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

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2009 OCT 14 A 9:11

William Howard Rutland, III, #5131,
#0903032,
a/k/a William H. Rutland, III,

Plaintiff,

v.

Sheriff Wayne Dewitt, Berkeley County
Sheriff's Office; Captain Barry Currie,
B.C.S.O.; Lieutenant Butch Rivers,
B.C.S.O.; Sargent Kris Jacuman,
B.C.S.O.; Sargent Rosemary Sanders,
B.C.S.O.,

Defendants.

Civil Action No. 8:09-1807-SB

ORDER

This matter is before the Court upon the Plaintiff's pro se complaint, filed pursuant to 42 U.S.C. § 1983. By local rule, the matter was referred to a United States Magistrate Judge for preliminary determinations.

On September 2, 2009, United States Magistrate Judge Bruce Howe Hendricks issued a report and recommendation ("R&R") analyzing the Plaintiff's complaint and recommending that the Court summarily dismiss the complaint because the Plaintiff previously filed another case against the same Defendants based on the same facts and circumstances.¹ Rutland v. Dewitt, et al, Civil Action No. 8:09-1717-SB-BHH. Attached to the R&R was a notice advising the Plaintiff of his right to file specific, written objections to the R&R within ten days of the date of service of the R&R. To date, no objections have been filed.

¹ At this time, the Plaintiff has at least thirteen pending cases before this Court.

Absent timely objection from a dissatisfied party, a district court is not required to review, under a de novo or any other standard, a Magistrate Judge's factual or legal conclusions. Thomas v. Arn, 474 U.S. 140, 150 (1985); Wells v. Shriners's Hosp., 109 F.3d 198, 201 (4th Cir. 1997). Here, because the Plaintiff did not file any specific, written objections, the Court need not conduct a de novo review of any portion of the R&R. Accordingly, the Court hereby adopts the Magistrate Judge's R&R as the Order of this Court, and it is

ORDERED that the Plaintiff's complaint is summarily dismissed without prejudice and without issuance and service of process.

AND IT IS SO ORDERED.



The Honorable Sol Blatt, Jr.
Senior United States District Judge

October 13, 2009
Charleston, South Carolina

